

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

SAMUEL LEWIS TAYLOR, Reg. No. 166914,)	
)	
Plaintiff,)	
)	
v.)	No. 07-4060-CV-C-SOW
)	
ROBYN COMBS, et al.,)	
)	
Defendants.)	

ORDER

On October 16, 2008, United States Magistrate Judge William A. Knox recommended that plaintiff's claims against the John Doe defendants be dismissed, pursuant to Fed. R. Civ. P. 4(m). The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on October 31, 2008, in which he requested service of process on the John Doe defendants. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

Plaintiff's motion for service of process will be denied. Service of process cannot be issued without plaintiff specifically identifying the John Doe defendants to be served. Identification as a John Doe Jefferson City Correctional Officer and a John Doe Jefferson City Mailroom Supervisor are insufficient. Plaintiff filed his complaint on May 31, 2007, and has had ample opportunity by means of discovery or otherwise to identify the John Doe defendants in his case. Plaintiff's claims against the John Doe defendants should be dismissed.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of October 16, 2008, is adopted. [78] It is further

ORDERED that plaintiff's claims against the John Doe defendants are dismissed, without prejudice, pursuant to Fed. R. Civ. P. 4(m). It is further

ORDERED that plaintiff's motion for service of process on unidentified John Doe defendants is denied. [81]

/s/Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Dated: November 24, 2008